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PTO/PR/11-09-04

Approved for use through 07/31/2006. OMB 0651-0031

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 388

Application Number 10/531,531

Filing Date 04/15/2005

First Named Inventor Graham et al.

Art Unit

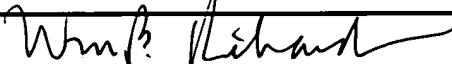
Examiner Name

3

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> IDS Letter; Express Mail Certificate, Return Receipt Post Card
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Battelle Memorial Institute		
Signature			
Printed name	William B. Richards		
Date	07-15-2005	Reg. No.	44,301

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: **EXPRESS**

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Typed or printed name	Judy Readman	Date	07-15-2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Graham et al.

Application No.: 10/531,531 Group No.

Filed: 07-15-2005 Examiner:

For: Process For Treating Non-Human Animals

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## EXPRESS MAIL CERTIFICATE

"Express Mail" label number ED 794591175 USDate of Deposit July 15, 2005

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PATENT

Attorney Docket No. 13801

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Graham, Brian et al.

Serial No.: 10/531,531 Art Unit:

Filed: April 15, 2005 Examiner:

For: PROCESS FOR TREATING NON-HUMAN ANIMALS

Mail Stop Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

**1. Preliminary Statement**

Applicants submit herewith patents, publications, or other information, of which they are aware that they believe may be material, as defined in 37 CFR § 1.56(b), to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 CFR § 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR § 1.56(b), the filing of this Information Disclosure Statement is not intended, pursuant to 37 CFR § 1.97(h), to constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. Further, pursuant to 37 CFR § 1.97(g), the filing of this Information Disclosure Statement should not be construed as a statement that a search has been made or that no other material information exists. The filing of this

information disclosure statement shall not be construed as an admission against interest in any manner.

2. Transmitted herewith and forming a part of this Information Disclosure Statement are forms PTO/SB/08A and PTO/SB/08B (6 sheets) on which are listed all cited items of information. Also enclosed are copies of all foreign patents and non-patent literature documents.

3. Pursuant to 37 CFR § 1.97(b)(1) and (3), this Information Disclosure Statement is being filed within three months of the filing date and before the mailing date of a First Office Action on the merits. Applicants believe no fees are due and payable in connection with this submission.

The person making this statement is the practitioner who signs below on the basis of the information in the practitioner's file.

Respectfully submitted,



William B. Richards, Esq.  
Attorney for Applicants  
Reg. No. 44,301

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of 6

Complete if Known

Application Number	10/531,531
Filing Date	04/15/2005
First Named Inventor	Graham et al.
Art Unit	
Examiner Name	

Attorney Docket Number 13801

## U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
A1	US- 4,356,528		10-26-1982	Coffee	
A2	US- 4,961,930		10-09-1990	Perdelwitz et al.	
A3	US- 4,973,589		11-27-1990	Barnett et al.	
A4	US- 4,981,104		01-01-1991	Goodwin	
A5	US- 4,995,345		02-26-1991	Friedman	
A6	US- 5,003,756		04-02-1991	Mazzotta	
A7	US- 5,314,123		05-24-1994	Miller	
A8	US- 5,279,256		01-18-1994	Brite	
A9	US- 5,314,123		05-24-1994	Miller	
A10	US- 5,492,693		02-20-1996	Miller	
A11	US- 5,494,674		02-27-1996	Barnett et al.	
A12	US- 5,564,528		10-15-1996	Hall et al.	
A13	US- 5,575,106		11-19-1996	Martin et al.	
A14	US- 5,595,749		01-21-1997	Rascher et al.	
A15	US- 5,626,859		05-06-1997	Fitch et al.	
A16	US- 5,662,067		09-02-1997	Stubbs et al.	
A17	US- 5,665,369		09-09-1997	Wedlock et al.	
A18	US- 5,701,849		12-30-1997	Suchowski et al.	
A19	US- 5,722,199		03-03-1998	Demarest et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
A20	EP 0 224 352 A1		06-03-1987	Booth et al.		
A21	EP 0 523 960 A1		01-20-1993	Barnett et al.		
A22	EP 0 523 963 A1		02-20-1993	Bowser et al.		
A23	EP 0 523 964 A1		01-20-1993	Barnett et al.		
A24	EP 1 029 450 A2		08-23-2000	Aa		
A25	GB 1 393 333		05-07-1975	Krause et al.		

Examiner  
SignatureDate  
Considered

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 12

of 6

Application Number	10/531,531
Filing Date	04/15/2005
First Named Inventor	Graham et al.
Art Unit	
Examiner Name	

Examiner Docket Number 13801

## U. S. PATENT DOCUMENTS

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		Number-Kind Code <sup>2</sup> (if known)			
B1	US- 5,758,603		06-02-1998	Vivier	
B2	US- 5,775,261		07-07-1998	Shaw	
B3	US- 5,786,004		07-28-1998	Hobbs	
B4	US- 5,813,614		09-29-1998	Coffee	
B5	US- 5,823,145		10-20-1998	Hingiss	
B6	US- 5,881,671		03-16-1999	Riedl	
B7	US- 5,945,111		08-31-1999	Esser	
B8	US- 5,988,113		11-23-1999	Zhioua et al.	
B9	US- 6,065,428		05-23-2000	Fronk	
B10	US- 6,083,519		07-04-2000	Jeannin	
B11	US- 6,093,695		07-25-2000	Rupar et al.	
B12	US- 6,096,329		08-01-2000	Jeannin	
B13	US- 6,105,571		08-22-2000	Coffee	
B14	US- 6,125,790		10-03-2000	Breedwell	
B15	US- 6,162,820		12-19-2000	Jeannin et al.	
B16	US- 6,167,840		01-02-2001	White et al.	
B17	US- 6,179,847		01-30-2001	Possum	
B18	US- 6,221,375		04-24-2001	Howse	
B19	US- 6,227,144		05-08-2001	Quintero	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> "Number" "Kind Code" (if known)				
B20	GB 1 569 707		06-18-1980	Coffee		
B21	GB 2 061 769		05-20-1981	Coffee		
B22	GB 2 092 025		08-11-1982	Coffee		
B23	WO 96/10459		04-11-1996	Noakes et al.		
B24	WO 98/05210		02-12-1998	Rudolph et al.		
B25	WO 99/66790		12-29-1999	Marcus et al.		

Examiner Signature

Date Considered

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 13 of 6

## Complete if Known

Application Number	10/531,531
Filing Date	04/15/2005
First Named Inventor	Graham et al.
Art Unit	
Examiner Name	

Attorney Docket Number 13801

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		Number-Kind Code <sup>2</sup> (if known)			
C1	US- 6,277,466		05-08-2001	Hartman et al.	
C2	US- 6,252,129		06-26-2001	Coffee	
C3	US- 6,318,640		11-20-2001	Coffee	
C4	US- 6,375,089		04-23-2002	Taylor et al.	
C5	US- 6,386,195		05-14-2002	Coffee	
C6	US- 6,399,362		06-04-2002	Pui et al.	
C7	US- 6,446,578		09-10-2002	Irwin	
C8	US- 6,457,470		10-01-2002	Coffee	
C9	US- 6,531,142		03-11-2003	Rabe et al.	
C10	US- 6,595,208		07-22-2003	Coffee et al.	
C11	US- 6,651,589		11-25-2003	Greeson	
C12	US- 2001/0003148 A1		06-07-2001	Coffee	
C13	US- 2002/0007869 A1		01-24-2002	Pui et al.	
C14	US- 2003/0205631 A1		11-06-2003	Barron et al.	
C15	US-				
C16	US-				
C17	US-				
C18	US-				
C19	US-				

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		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
C20	WO 01/74431 A2		10-11-2001	Davies et al.		
C21	WO 02/091826 A1		11-21-2002	Bein et al.		

Examiner Signature		Date Considered	
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<p>Substitute for form 1449/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				<b>Complete if Known</b>	
				Application Number	10/531,531
				Filing Date	04-15-2005
				First Named Inventor	Graham et al.
				Art Unit	
				Examiner Name	
Sheet	4	of	6	Attorney Docket Number	13801

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	D1	CARLTON, J.B. et al.; Electrostatic Charging of Aerial Spray Over Cotton; Transactions of the ASAE; 1995 American Society of Agricultural Engineers; Vol 38(6); pp. 1641-1645			
	D2	MOON, JAE-DUK ET AL.; A Capacitive of Electrostatic Spraying Nozzle; J. of Electrostatics; 57; 2003; pp 363-379			
	D3	POTTER, MICHAEL F.; Pet-Centered Flea Prevention and Control; <a href="http://www.uky.edu/Agriculture/Entomology/entfacts/struct/ef628.htm">http://www.uky.edu/Agriculture/Entomology/entfacts/struct/ef628.htm</a>			
	D4	Advantage vs Frontline Which is the Better Flea Treatment; Compare Prices and Read Reviews on Bayer Advantage at Epinions.com; <a href="http://epinions.com/content_70366367364">http://epinions.com/content_70366367364</a>			
	D5	Celebrate a Flea-Free Summer; ADvantage Application - National Pet Supply; <a href="http://national pet supply.com/advantage.application.php">http://national pet supply.com/advantage.application.php</a>			
	D6	Bayer Received Registration on New Ectoparasite Control For Mosquitos, Ticks and Fleas on Dogs; <a href="http://216.239.37.104/search?q=cache:V99wJgxTd4kJ:www.bayerdvm.com/view/1037905">http://216.239.37.104/search?q=cache:V99wJgxTd4kJ:www.bayerdvm.com/view/1037905</a>			
	D7	Commonly Asked Questions about BIO-SPOT Spot-On Flea & Tick Control For Dogs; Welcome to Farnampet.com. Your Online Resource for Farnam Pet Products; <a href="http://www.farnampet.com/faqs/biospot_dog.htm">http://www.farnampet.com/faqs/biospot_dog.htm</a>			
	D8	"Farnam's Bio Spot Flea & Tick Almost Killed Our Dog; Bio Spot Flea & Tick Control For Dogs - Consumer Alert; <a href="http://elversonpuzzle.com/biospot.html">http://elversonpuzzle.com/biospot.html</a>			
	D9	The Biospot Label and Precautions For Use; Fleapill.com; <a href="http://fleapill.com/biospot/biospot.html">http://fleapill.com/biospot/biospot.html</a>			
	D10	FuturePets.com; Bio-Spot; <a href="http://www.pet-expo.com/cgi-bin/FULL PRES.exe?PARTNUM=FA2109">http://www.pet-expo.com/cgi-bin/FULL PRES.exe?PARTNUM=FA2109</a>			

Examiner Signature	Date Considered
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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Sheet	5	of	6	Attorney Docket Number	13801

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	E1	BRIDLE & BIT; Protect Horses During Mosquito Season with Mosquito Halt(TM); <a href="http://bridleandbit.com/artman/publish/article_1796.shtml">http://bridleandbit.com/artman/publish/article_1796.shtml</a>	
	E2	Horse Health USA: Fly Control: Mosquito Halt Spray; <a href="http://PBShorsehealth.com/cgi-local/SoftCart.exe/flycontrol/mosquitohaltspray.html">http://PBShorsehealth.com/cgi-local/SoftCart.exe/flycontrol/mosquitohaltspray.html</a>	
	E3	Erin's Edge Labradors, Supplements, and Supply Farnam Mosquito Halt For Dogs; Farnam Mosquito Halt For Dogs; <a href="http://erinsedge.zoovy.com/product/FAR002HALT">http://erinsedge.zoovy.com/product/FAR002HALT</a>	
	E4	Fleas; Flea Control in Companion Animals; <a href="http://newmanveterinary.com/Fleas.html">http://newmanveterinary.com/Fleas.html</a>	
	E5	Natual Flea and Tick Control Products For Animals; PreciousPets.org; Flea Free by Natual Pet Products; <a href="http://preciouspets.org/fleafree.htm">http://preciouspets.org/fleafree.htm</a>	
	E6	The Cat Doctor, PC; literature / fleas; <a href="http://catdoctors.com/html/lit_fleas.html">http://catdoctors.com/html/lit_fleas.html</a>	
	E7	Medical Alert: Problem Reported With New Topical Flea Products; <a href="http://rabbit.org/chapters/san-diego/health/vet-talk/frontline.html">http://rabbit.org/chapters/san-diego/health/vet-talk/frontline.html</a>	
	E8	NRDC: Poisons on Pets - Executive Summary; Health Hazards From Flea and Tick Products; <a href="http://www.nrdc.org/health/effects/pets/execsum.asp">http://www.nrdc.org/health/effects/pets/execsum.asp</a>	
	E9	Revolution Consumer - U.S. Prescribing Info; Clinet Information About Revolution; <a href="http://revolutionpet.com/7info/">http://revolutionpet.com/7info/</a>	
	E10	ISU CVM Companion Animal Dermatology/Overview of Flea Control Products;	

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.  
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Sheet 6 of 6 Attorney Docket Number 13801

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	F1	Product Profile; Stronghold; Active Substance - Selamectin; CVMP/665/99-Rev. 2	
	F2	Health-Based Particle-Size-Selective Smpaling; TSI Inc.; <a href="http://www.tsi.com/exposure/appnote/iti_050.htm">http://www.tsi.com/exposure/appnote/iti_050.htm</a>	
	F3	EXTOXNET PIP - AMITRAZ; Extension Toxicology Network; Pesticide Information Profiles; <a href="http://ace.ace.orst.edu/info/extoxnet/pips/amitraz.htm">http://ace.ace.orst.edu/info/extoxnet/pips/amitraz.htm</a>	
	F4	PerPlace.com - Article: Amitraz; <a href="http://perplace.netscape.com/articles/artShow.asp?artID=1515">http://perplace.netscape.com/articles/artShow.asp?artID=1515</a>	
	F5	Tick Collars; Virbac Tick Collar; Balgownie Veterinary Hospital; <a href="http://balgownievet.com.au/store/category44_1.htm">http://balgownievet.com.au/store/category44_1.htm</a>	
	F6	Preventic Tick Collars: A Flea Control; <a href="http://www.xfleas.com/prevent.html">http://www.xfleas.com/prevent.html</a>	
	F7	Program Tablets for Dogs - Novartis.com; <a href="http://www.ah.novartos.com/products/en/cab/program_tablets_for_dogs.shtml">http://www.ah.novartos.com/products/en/cab/program_tablets_for_dogs.shtml</a>	
	F8	Program; Lufenuron; Brand Name: Program; <a href="http://marvistavet.com/html/body_program.html">http://marvistavet.com/html/body_program.html</a>	
	F9	Integrated Flea Control (007); Insects, Spiders, Mice and More....; <a href="http://lancaster.unl.edu/enviro/pest/factsheets/007-98.htm">http://lancaster.unl.edu/enviro/pest/factsheets/007-98.htm</a>	
	F10	Program Oral Suspension For Cats - Novartis.com; <a href="http://ah.novartis.com/products/en/cab/program_oral_suspension_for_cats.shtml">http://ah.novartis.com/products/en/cab/program_oral_suspension_for_cats.shtml</a>	

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